

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nickolai ALEXANDROV et al.

Application No.: 09/940,256

Confirmation No.: 8352

Filed: August 24, 2001

Art Unit: N/A

For: SEQUENCE-DETERMINED DNA
FRAGMENTS AND CORRESPONDING
POLYPEPTIDES ENCODED THEREBY

Examiner: N/A

**REQUEST TO CORRECT THE USPTO RECORDS WITH RESPECT TO THE
FILING DATE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the USPTO records be corrected to accurately record the proper filing date for the above-identified application.

The filing date for the present application is currently indicated on PAIR as July 21, 2002. This date is incorrect, and the actual filing date of the present application is **August 24, 2001**, as evidenced by the following facts.

1. The present application was filed on August 24, 2001 under the "Express Mail" provisions. (See the enclosed copy of the first page of the filing request form, Exhibit 1, which includes a certificate of Express Mail; and a copy of the Return Postcard. Exhibit 2, which indicates the serial number assigned by the USPTO as well as the filing date of "08/24/01").
2. The USPTO subsequently issued a filing receipt on November 29, 2001 which correctly indicated the filing date of the application as August 24, 2001 (Exhibit 3).

3. A "Notice to File Missing Parts of Non-Provisional Application" was also issued on November 29, 2001 and that document also properly indicated the filing date of the application as August 24, 2001 (Exhibit 4).
4. Applicants subsequently filed a request for a corrected Official Filing Receipt on July 1, 2002 in order to correct information relating to priority data and to properly indicate that a non-publication request was not filed in connection with the application (Exhibit 5).
5. The present application was subsequently abandoned in favor of a continuation application that was filed on May 19, 2002.
6. For some reason, not understood by the undersigned, the USPTO subsequently issued a second "Notice to File Missing Parts of a Non-Provisional Application" on November 21, 2002, and that document for the first time incorrectly indicated the filing date of the present application as July 21, 2002 (Exhibit 6). This communication was both issued in error by the USPTO and appears to be the source of the error in the PAIR system which incorrectly indicates the filing date of the present application as July 21, 2002.
7. Applicants submit that the evidence clearly indicates that the present application was properly filed on August 24, 2001, that the USPTO correctly assigned that filing date to the present application, but that the USPTO improperly changed the records to indicate a different and wrong filing date for the present application. It is, therefore, respectfully requested that the USPTO make the necessary changes to correct this error, and specifically to correct the PAIR system records and any other records to correctly indicate the filing date of the present application as August 24, 2001.

Since this request is made to correct an error made solely on the part of the USPTO, Applicants believe that correction of the error should be made without the payment of any additional fees by the Applicants. If, however, the USPTO determines that this correction requires the filing of a petition, then the USPTO is requested to construe this request as the

necessary petition and to charge any required fee under 37 CFR 1.17 to deposit account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: August 8, 2007

Respectfully submitted,

By 

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COPY

Exhibit 1

"Express Mail" Mailing Label No.

EL 793274091 US

Date of Deposit: August 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents & Trademarks, Washington, D.C. 20231.

Anne Harrison
Anne Harrison

8-24-2001
Date

Date: August 24, 2001

Docket No.: 2750-1483P

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): ALEXANDROV, Nickolai; APUYA, Nestor; BROVER, Vyacheslav; CHEN, Xianfeng; DUMAS, Jean-Baptiste; FANG, Yiwen; FELDMANN, Kenneth; JOFUKU, K. Diane; KIEGLE, Ed; KIMMERLY, Bill; KWOK, Shing; MASCIA, Peter; OKAMURO, Jack; PENNELL, Roger; SCHNEEGERGER, Richard; SUBRAMANIAN, Gopalakrishnan; TROUKHAN, Maxim; ZHENG, Liansheng

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING POLYPEPTIDES ENCODED THEREBY

Enclosed are:

- ☒ A specification consisting of a description (____ page(s)), claims (____ page(s)), a schematic (____ page(s)), and an abstract (1 page) totaling ____ pages
- ☐ () sheet(s) of formal drawings
- ☐ Certified copy of Priority Document(s)
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27

THE U.S. PATENT & TRADEMARK OFFICE
ACKNOWLEDGES RECEIPT OF:



08/24/01

August 24, 2001

Date Mailed:

New Utility Application with Transmittal Letter

August 24, 2001

Date Filed:

Sequence-Determined DNA Fragments and Corresponding

Polypeptides Encoded Thereby

Applicant:

Alexandrov, et al.

Atty. Dkt. No.: 2750-1483P

Client Dkt. No.: 80090-005

Content:

☒ Specification consisting of 766 pages, 409 claims

☒ 2 sets of CDs with tables (2 total) 1 table #

☒ Utility Application Transmittal, Express Mail #

☒ CD Transmittal

☒ Request for Non-publication

☒ ATCC deposit receipts PTA 595, 1411, 1161, 2007

☒ Information Sheet

1pg schematic
1pg Abstract
1pg claims

THE U.S. PATENT & TRADEMARK OFFICE
ACKNOWLEDGES RECEIPT OF:



08/24/01

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Date Mailed:

New Utility Application with Transmittal Letter

August 24, 2001

Date Filed:

Sequence-Determined DNA Fragments and Corresponding

Polypeptides Encoded Thereby

Applicant:

Alexandrov, et al.

Atty. Dkt. No.:

2750-1465P

Client Dkt. No.:

710-0004-55300-US-U-31835.01

Content:

☒ Specification consisting of 794 pages, 409 claims

☒ 2 sets of 9 CDs with tables

☒ Utility Application Transmittal, Express Mail #

☒ CD Transmittal

☒ Request for Non-publication

☒ ATCC deposit receipts PTA 595, 1411, 1161, 2007

☒ Information Sheet

1pg schematic
1pg Abstract
1pg claims

Exhibit 3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/940,256 ✓	08/24/2001 ✓	1632	355	2750-1483P ✓		20	3

CONFIRMATION NO. 8352 ✓

FILING RECEIPT



OC00000007133626

2292

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

Date Mailed: 11/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Nickolai Alexandrov, Residence Not Provided; ✓
Nestor Apuya, Residence Not Provided; ✓
Vyacheslav Brover, Residence Not Provided; ✓
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Jean-Baptiste Dumas, Residence Not Provided; ✓
Yiwen Fang, Residence Not Provided; ✓
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Gopalakrishnan Subramanian, Residence Not Provided; ✓
Maxim Troukhan, Residence Not Provided; ✓
Liansheng Zheng, Residence Not Provided; ✓

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/115,293 01/08/1999 ✓
AND CLAIMS BENEFIT OF 60/121,825 02/25/1999 ✓
AND CLAIMS BENEFIT OF 60/123,180 03/05/1999 ✓
AND CLAIMS BENEFIT OF 60/123,548 03/09/1999 ✓
AND CLAIMS BENEFIT OF 60/125,788 03/23/1999 ✓
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AND CLAIMS BENEFIT OF 60/127,462 04/01/1999 ✓
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 AND CLAIMS BENEFIT OF 60/130,077 04/19/1999 ✓
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 (*) Data inconsistent with PTO records.
 THIS APPLICATION 09/940,256
 CLAIMS BENEFIT OF 60/139,457 06/18/1999 ✓
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 THIS APPLICATION 09/940,256
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 AND CLAIMS BENEFIT OF 60/176,866 01/19/2000 ✓
 AND CLAIMS BENEFIT OF 60/176,867 01/19/2000 ✓
 AND CLAIMS BENEFIT OF 60/176,910 01/20/2000 ✓
 AND CLAIMS BENEFIT OF 60/178,166 01/26/2000 ✓
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THIS APPLICATION 09/940,256
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AND CLAIMS BENEFIT OF 60/228,135 08/25/2000 ✓
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 AND CLAIMS BENEFIT OF 60/228,096 08/25/2000 ✓
 AND CLAIMS BENEFIT OF 60/227,793 08/25/2000 ✓
 AND CLAIMS BENEFIT OF 60/228,149 08/25/2000 ✓

Foreign Applications

MEXICO 00001973 02/25/2000 ✓
 EUROPEAN PATENT OFFICE (EPO) 03014396 02/25/2000 ✓
 CANADA 2300692 02/25/2000 ✓

If Required, Foreign Filing License Granted 09/21/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

*****WARNING*****

Applicant has requested non-publication, certifying that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing; **and has also claimed** the benefit of an application filed in another country or under a multilateral agreement. Because the non-publication request and corresponding certification appears to be inconsistent with the priority claim, applicant is reminded that he/she has an obligation to promptly notify the Office and **rescind the non-publication request** if the invention disclosed in this application is the subject of an application filed in another country, or under a multilateral agreement, that requires eighteen-month publication.

*****WARNING*****

Early Publication Request: No

**** SMALL ENTITY ****

Title

Sequence-determined DNA fragments and corresponding polypeptides encoded thereby ✓

Preliminary Class

435

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Exhibit 4



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,256	08/24/2001	Nickolai Alexandrov	2750-1483P

CONFIRMATION NO. 8352

2292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

FORMALITIES LETTER



OC000000007133827

1-29-03
ES
Perfect
Response
Sequence Listing

Date Mailed: 11/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

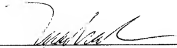
- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY

Exhibit 5PATENT
2750-1483P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: N. ALEXANDROV et al. Conf.: 8352
Appl. No.: 09/940,256 Group: UNASSIGNED
Filed: August 24, 2001 Examiner: UNASSIGNED
For: SEQUENCE-DETERMINED DNA FRAGMENTS AND
CORRESPONDING POLYPEPTIDES ENCODED THEREBY

REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPTAssistant Commissioner for Patents
Washington, DC 20231July 1, 2002
(Monday)

Sir:

Attached hereto is the Official Filing Receipt in connection with
the above-identified application.

THE FOLLOWING CORRECTIONS ARE RESPECTFULLY REQUESTED:**Non-Publication Request:**

Please change this field to "No"

A non-publication request was not filed with this application
despite any indication to the contrary on the transmittal letter
dated August 24, 2001.

Priority Data:

Please replace all of the priority data listed in the Official
Filing receipt with the following new priority data:

This application claims priority of the following applications:

Attorney No.	Filing Date	Appl. No.	Status	
2750-0783P	04/06/2000	09/543,680	Pending	which claims priority to and
2750-0416P	04/06/1999	60/128,234	Converted	
2750-0417P	04/08/1999	60/128,714	Converted	
2750-0852P	05/04/2000	09/566,262	Pending	which claims priority to
2750-0426P	05/04/1999	60/132,484	Converted	
2750-0853P	05/05/2000	09/565,309	Pending (at the time of filing)	which claims priority to
2750-0427P	05/05/1999	60/132,485	Converted	

Attorney No.	Filing Date	Appl. No.	Status	
2750-0851P	05/05/2000	09/565,308	Pending	which claims priority to
2750-0428P	05/06/1999	60/132,487	Converted	
2750-0854P	05/05/2000	09/565,307	Pending	which claims priority to
2750-0429P	05/06/1999	60/132,486	Converted	
2750-0855P	05/05/2000	09/565,310	Pending	which claims priority to
2750-0430P	05/07/1999	60/132,863	Converted	
2750-0871P	05/11/2000	09/572,408	Pending	which claims priority to
2750-0431P	05/11/1999	60/134,256	Converted	
2750-0872P	05/12/2000	09/570,768	Pending	and which both claim priority and
2750-0874P	05/12/2000	09/570,738	Pending	
2750-0434P	05/14/1999	60/134,219	Converted	
2750-0435P	05/14/1999	60/134,218	Converted	
2750-0876P	05/18/2000	09/573,655	Pending	which claims priority to and and and and and and and and and and and and and and and
2750-0436P	05/18/1999	60/134,768	Converted	
2750-0437P	05/19/1999	60/134,941	Converted	
2750-0438P	05/20/1999	60/135,124	Converted	
2750-0439P	05/21/1999	60/135,353	Converted	
2750-0440P	05/24/1999	60/135,629	Converted	
2750-0441P	05/25/1999	60/136,021	Converted	
2750-0442P	05/27/1999	60/136,392	Converted	
2750-0444P	05/28/1999	60/136,782	Converted	
2750-0445P	06/01/1999	60/137,222	Converted	
2750-0446P	06/03/1999	60/137,528	Converted	
2750-0447P	06/04/1999	60/137,502	Converted	
2750-0449P	06/07/1999	60/137,724	Converted	
2750-0450P	06/08/1999	60/138,094	Converted	
2750-0944P	06/16/2000	09/595,330	Pending	
2750-0443P	06/18/1999	60/139,458	Converted	
2750-0945P	06/16/2000	09/595,333	Pending	which claims priority to
2750-0448P	06/18/1999	60/139,454	Converted	
2750-0946P	06/16/2000	09/595,328	Pending	which claims priority to
2750-0451P	06/18/1999	60/139,459	Converted	
2750-0947P	06/16/2000	09/595,335	Pending (at the time of filing)	which claims priority to
2750-0452P	06/18/1999	60/139,461	Converted	
2750-0948P	06/16/2000	09/595,329	Pending (at the time of filing)	which claims priority to
2750-0453P	06/18/1999	60/139,462	Converted	

Attorney No.	Filing Date	Appin. No.	Status	
2750-0949P	06/16/2000	09/595,332	Pending	which claims priority to
2750-0454P	06/18/1999	60/139,457	Converted	
2750-0950P	06/16/2000	09/594,598	Pending	which claims priority to
2750-0455P	06/18/1999	60/139,460	Converted	
2750-0951P	06/16/2000	09/594,595	Pending	which claims priority to
2750-0456P	06/18/1999	60/139,456	Converted	
2750-0928P	06/09/2000	09/592,459	Pending	which claims priority to
2750-0457P	06/10/1999	60/138,540	Converted	and
2750-0458P	06/10/1999	60/138,847	Converted	
2750-0952P	06/16/2000	09/594,597	Pending	which claims priority to
2750-0459P	06/18/1999	60/139,463	Converted	
2750-0953P	06/16/2000	09/595,298	Pending	which claims priority to
2750-0460P	06/18/1999	60/139,455	Converted	
2750-0934P	06/14/2000	09/593,710	Pending	which claims priority to
2750-0463P	06/14/1999	60/139,119	Converted	
2750-0975P	06/23/2000	09/602,016	Pending	which claims priority to
2750-0471P	06/24/1999	60/140,695	Converted	
2750-0977P	06/29/2000	09/606,181	Pending	which claims priority to
2750-0473P	06/29/1999	60/140,991	Converted	
2750-0979P	06/30/2000	09/607,081	Pending	which claims priority to
2750-0475P	07/01/1999	60/141,842	Converted	
2750-0980P	06/30/2000	09/610,157	Pending	which claims priority to
2750-0476P	07/01/1999	60/142,154	Converted	
2750-0981P	06/30/2000	09/609,198	Pending (at the time of filing)	which claims priority to
2750-0477P	07/02/1999	60/142,055	Converted	
2750-0982P	07/06/2000	09/611,409	Pending	which claims priority to
2750-0478P	07/06/1999	60/142,390	Converted	
2750-0983P	07/07/2000	09/612,645	Pending	which claims priority to
2750-0479P	07/08/1999	60/142,803	Converted	
2750-0984P	07/07/2000	09/613,547	Pending	which claims priority to
2750-0480P	07/09/1999	60/142,920	Converted	
2750-1068P	07/21/2000	09/620,393	Pending	which claims priority to
2750-0484P	07/21/1999	60/145,086	Converted	

Attorney No.	Filing Date	Appl. No.	Status	
2750-1061P	07/14/2000	09/614,450	Pending	which claims priority to
2750-0486P	07/16/1999	60/144,085	Converted	and
2750-0496P	07/19/1999	60/144,334	Converted	
2750-1072P	07/21/2000	09/621,900	Pending	which claims priority to
2750-0501P	07/23/1999	60/145,224	Converted	
2750-1066P	07/20/2000	09/620,978	Pending	which claims priority to
2750-0502P	07/20/1999	60/144,884	Converted	
2750-1074P	07/27/2000	09/628,984	Pending	which claims priority to
2750-0507P	07/27/1999	60/145,918	Converted	and
2750-0519P	08/05/1999	60/147,192	Converted	
2750-1075P	07/27/2000	09/628,987	Pending	which claims priority to
2750-0508P	07/27/1999	60/145,919	Converted	
2750-1076P	08/02/2000	09/628,985	Pending	which claims priority to
2750-0511P	08/02/1999	60/146,388	Converted	

It is respectfully requested that the U.S. Patent and Trademark Office forward/issue a new Filing Receipt with the correction(s) indicated above.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *Raymond C. Stewart* #36,623
Raymond C. Stewart, #21,066

RCS/DRN/BCF
2750-1483P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments: Copy of Official Filing receipt

Exhibit 6

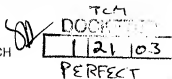


UNITED STATES
PATENT AND
TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/DOCKET NUMBER
09/940,256	07/21/2002	Nickolai Alexandrov	2750-1483P

2292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

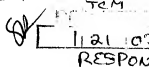


CONFIRMATION NO. 8352

FORMALITIES LETTER



0000000009134510



Date Mailed: 11/21/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 15 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$80** for a Small Entity

- **\$15** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

*A copy of this notice **MUST** be returned with the reply.*



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